



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

December 2, 2004

S. 2734

Indian Tribal Detention Facility Reform Act of 2004

As ordered reported by the Senate Committee on Indian Affairs on November 17, 2004

SUMMARY

S. 2734 would amend the Indian Law Enforcement Reform Act to address requirements for detention facilities in Indian communities. The bill would direct the Department of the Interior (DOI) to establish a separate Branch of Detention Services to be responsible for detention, confinement, and corrections in tribal detention facilities. It also would require the department to investigate and report serious incidents at such facilities and to evaluate staffing and monitor inmates at those facilities. The bill would require that medical assistance be provided on-site at detention facilities owned by the Bureau of Indian Affairs (BIA), and would require a substantial review of all facilities.

CBO estimates that implementing S. 2734 would cost \$15 million over the 2005-2009 period, assuming appropriation of the necessary amounts. S. 2734 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA) and would impose no costs on state, local, or tribal governments. Any costs incurred by tribal governments as a result of this legislation would stem from their participation in a voluntary federal program.

ESTIMATED COST TO THE FEDERAL GOVERNMENT

The estimated budgetary impact of S. 2734 is shown in the table below. The costs of this legislation fall within budget function 450 (community and regional development).

By Fiscal Year, in Millions of Dollars					
	2005	2006	2007	2008	2009
CHANGES IN SPENDING SUBJECT TO APPROPRIATION					
New Detention Services Branch					
Estimated Authorization Level	1	1	1	2	2
Estimated Outlays	1	1	1	2	2
Additional Medical Personnel					
Estimated Authorization Level	1	1	2	2	2
Estimated Outlays	1	1	2	2	2
Detention Facilities Review					
Authorization Level	1	0	0	0	0
Estimated Outlays	*	*	0	0	0
Total Spending under S. 2734					
Estimated Authorization Level	3	2	3	4	4
Estimated Outlays	2	2	3	4	4

NOTE: * = less than \$500,000.

BASIS OF ESTIMATE

For this estimate, CBO assumes that the bill will be enacted early in fiscal year 2005, that the necessary amounts will be appropriated for each year, and that outlays will occur at historical rates for these programs.

New Detention Services Branch

S. 2734 would require the Department of the Interior to establish a separate Branch of Detention Services within the Division of Law Enforcement Services. Based on information from BIA, CBO expects that this branch would require thirteen additional personnel, at an average cost of over \$100,000 each. Assuming appropriation of the necessary amounts, CBO estimates that this provision would cost about \$1 million in 2005 and \$7 million over the 2005-2009 period.

Additional Medical Personnel

The bill would require that all BIA detention facilities provide medical assistance on-site. Based on information from BIA, CBO assumes that this provision would affect the 39 tribal detention facilities that are owned by BIA. (Nationwide, there are 75 tribal detention facilities.) For this estimate, CBO assumes an emergency medical technician (EMT) on-site at each detention facility with access to an off-site ambulance service would satisfy the requirements of the bill.

BIA currently relies on the Indian Health Service (IHS) for medical support at its detention facilities; there are no medical personnel assigned specifically to any of them. CBO estimates that, under this bill, the agency would hire 39 IHS emergency medical technicians to staff the agency's facilities. IHS currently employs 17 EMTs at an average salary of around \$25,000 annually. Allowing for benefits and operational costs, we estimate an average cost per EMT of nearly \$40,000 annually. Assuming appropriation of the necessary amounts, CBO estimates that implementing this provision this would cost about \$1 million in 2005 and \$8 million over the 2005-2009 period.

Detention Facilities Review

The bill would require BIA to complete a physical assessment of all detention facilities within a year of enactment and to issue a report on the findings within 15 months. CBO estimates that this provision would cost about \$1 million over the 2005-2006 period, subject to the availability of appropriated funds.

INTERGOVERNMENTAL AND PRIVATE-SECTOR IMPACT

S. 2734 contains no intergovernmental or private-sector mandates as defined in UMRA and would impose no costs on state, local, or tribal governments. Any costs incurred by tribal governments as a result of this legislation would stem from their participation in a voluntary federal program.

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